

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Yoshida et al.	Art Unit :	1654
Serial No. :	10/561,298	Examiner :	Thomas S. Heard
Filed :	June 7, 2006	Confirmation No.:	1652
		Notice of Allowance Date:	September 29, 2009
Title :	HISTONE DEACETYLASE INHIBITOR AND PROCESS FOR PRODUCING THE SAME		

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

In response to the Notice of Allowance mailed September 29, 2009, enclosed are a completed Issue Fee Transmittal Form PTOL-85b and payment in the amount of \$1810 for the required Issue Fee and Publication Fee.

Please apply any additional charges or credits to our Deposit Account No. 06-1050.

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Applicant recognizes that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicant does not concede that all of the identified limitations – i.e., “the variable for X (six specific species) . . . in combination with the cyclic alkene structures of R₂₁ and R₂₂, R₃₁ and R₃₂, R₄₁ and R₄₂, or the linear structures of R₂₂, R₂₃, R₃₂, R₃₃, R₄₂, and R₄₃” – are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. Furthermore, the claims may be patentable for other reasons. In addition, the dependent claims are allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: December 15, 2009

Applicant : Yoshida et al.
Serial No. : 10/561,298
Filed : June 7, 2006
Page : 2 of 2

Attorney's Docket No.: 20214-0002US1

Respectfully submitted,

Date: December 15, 2009

/Elizabeth N. Kaytor/

Elizabeth N. Kaytor, Ph.D.

Reg. No. 53,103

Fish & Richardson P.C.
3200 RBC Plaza
60 South Sixth Street
Minneapolis, Minnesota 55402
Telephone: (612) 335-5070
Facsimile: (877) 769-7945

60612615.doc

PART B – FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

26191 7590 09/29/2009

FISH & RICHARDSON P.C.
P.O. Box 1022
Minneapolis, MN 55440-1022

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,298	06/07/2006	Minoru Yoshida	20214-0002US1	1652

TITLE OF INVENTION: **HISTONE DEACETYLASE INHIBITOR AND PROCESS FOR PRODUCING THE SAME**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$1810	12/29/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
HEARD, THOMAS S.	1654	514-011000

- | | | |
|--|--|--|
| <p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p> | <p>2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.</p> | <p>1. <u>Fish & Richardson P.C.</u></p> <p>2. _____</p> <p>3. _____</p> |
|--|--|--|

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)
- PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.
- (A) NAME OF ASSIGNEE (B) RESIDENCE (CITY and STATE OR COUNTRY)

Riken **Wako-shi, Saitama Japan**

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☒ corporation or other private group entity ☐ government

- | | |
|--|---|
| <p>4a. The following fee(s) are enclosed:</p> <p><input checked="" type="checkbox"/> Issue Fee</p> <p><input checked="" type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p> | <p>4b. Payment of Fee(s):</p> <p><input type="checkbox"/> A check in the amount of the fee(s) is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number <u>06-1050</u> (enclose an extra copy of this form).</p> |
|--|---|

5. Change in Entity Status (from status indicated above)
- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

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(Authorized Signature) /Elizabeth N. Kaytor/

(Date) December 15, 2009

Typed or Printed Name Elizabeth N. Kaytor, Ph.D.

Registration No. 53,103

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